

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

RUSSELL, et al.

Plaintiffs,

V.

HARRIS COUNTY, TEXAS, et al.

Defendants.

Case No. 4:19-cv-00226

(Class Action)

The Honorable Lee H. Rosenthal

U.S. District Judge

MOTION TO LIFT THE STAY, SET DEADLINES FOR INITIAL PRETRIAL PROCEEDINGS, AND SET A DEADLINE FOR RESPONSIVE PLEADINGS

Plaintiffs filed the above-captioned lawsuit in January 2019. The case has been stayed since filing while the Parties attempted in good faith to negotiate a resolution. However, it has become apparent that a negotiated resolution is not in view. Accordingly, Plaintiffs ask this Court to lift the stay in the above-captioned case so that litigation may proceed.¹ Plaintiffs also respectfully ask this Court, pursuant to its standard procedures, to set a date for an Initial Pretrial Conference with the Court under Rule 16, set a deadline for the Parties to meet and confer under Rule 26(f), and set a deadline for the parties to file a Joint Discovery / Case-Management Plan and proposed Scheduling and Docket Control Order.

Plaintiffs further ask this Court to order Defendants to respond to Plaintiffs' concurrently filed First Amended Complaint within 21 days. If any Defendant or Intervenor files a Motion to Dismiss, Plaintiffs request 21 days to file a response, and seven (7) days for Defendants and Intervenor to file any reply brief.

¹ The Sheriff and County are opposed to lifting the stay at this time. Intervenor takes no position, but request 30 days to file a responsive pleading.

Date: May 6, 2020

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/s/ Elizabeth Rossi

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on May 6, 2020 a true and correct copy of this document properly was served on counsel of record via electronic filing in accordance with the USDC, Southern District of Texas Procedures for Electronic Filing.

/s/ Elizabeth Rossi

Elizabeth Rossi